

**REMARKS**

This application has been carefully reviewed in view of the above-referenced Office Action, and reconsideration is requested in view of the following remarks.

**Regarding Claim Objections**

Claims 69 and 73 were objected to because they inadvertently were ended with a comma. These claims have been amended to correct this minor typographical error. The undersigned appreciates the Examiner noting this error. Reconsideration and allowance are respectfully requested.

**Regarding the Rejections under 35 U.S.C. §102**

Claims 41-56 and 80-86 were rejected as anticipated by the Carlson reference of record. All independent claims have been amended to assure that the claims distinguish over the Carlson reference of record by, to paraphrase without intent of imposing additional limitations, calling for the menu elements to overlay the AV content currently playing, and to not affect the currently playing content until a selection is made that changes the content being played. This amendment is supported in the specification at least at page 14 lines 23-26.

In the Carlson reference, as explained in col. 5, approximately lines 18 through 43, intermediate content is displayed as the user scrolls through the menu arrangement. The main display screen 102 changes what is being displayed as the user scrolls through the menu system. This creates menu system that is disruptive of an existing viewing experience making it unsuitable for practical use in many embodiments of an AV environment. In the present claims, each menu (horizontal and vertical) overlays the AV content currently playing and continues overlaying the currently playing content until a selection is made from the menu that changes the content to another selection of AV content.

Reconsideration and allowance are respectfully requested.

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**Regarding the Rejections under 35 U.S.C. §103**

Claims 57-79 were rejected as obvious over the combination of Carlson and Gerba of record. Gerba is provided to supplement the Carlson reference by disclosure of use of a remote commander for making menu selections.

As noted above, all independent claims have now been amended to specify that the menu elements overlay the AV content currently playing, and to not affect the currently playing content until a selection is made that changes the content being played. Hence, the claims are believed to distinguish over the combination of Carlson and Gerba. Moreover, Carlson is rather specific in his teachings of the display of "intermediate content" as one scrolls through the menu system as pointed out above. Clearly this is contrary to Applicant's claimed embodiments.

In addition claims 57, 63, 67 and 72 have been amended to call for the first plurality of fields representing sources of AV content. This amendment is supported in the specification at least at page 8 lines 7-18. The cited references do not appear to meet this claim requirement, nor is it believed to be obvious to one having ordinary skill in the art upon.

Reconsideration and allowance are respectfully requested.

**Concluding Remarks**

The undersigned additionally notes that other distinctions exist between the cited art and the claims. However, in view of the distinctions pointed out above and in view of the present amendments, further discussion is believed to be unnecessary at this time. Failure to address each point raised in the Office Action should accordingly not be viewed as accession to the Examiner's position or an admission of any sort.

**Interview Request**

In view of this communication, all claims are now believed to be in condition for allowance and such is respectfully requested at an early date. If further matters remain to be resolved, the undersigned respectfully requests the courtesy of an interview. The undersigned can be reached at the telephone number below.

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Respectfully submitted,

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Dated: 7/26/2007

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